

FOR IMMEDIATE RELEASE**April 16, 1998****NEWS MEDIA CONTACTS:****Pat Etchart, 303/966-7547****Jeff Sherwood, 202/586-5806**

DOE, KAISER-HILL REACH AGREEMENT ON POSSIBLE NUCLEAR SAFETY VIOLATIONS

The Department of Energy (DOE) and the Kaiser-Hill Company, integrating contractor at the department's Rocky Flats Environmental Technology Site near Golden, Colorado, have agreed to resolve several self-reported potential nuclear safety violations with a \$100,000 payment by the contractor.

Terms of the agreement are specified in a Consent Order signed by DOE and the Kaiser-Hill Company earlier this month. The order -- the first of its kind under the Price-Anderson Amendments Act -- covers several specific incidents that took place from January 1996 through January 1998. While no major accidents or worker exposures were involved, these events reflected programmatic problems with the implementation of radiological controls at the site.

DOE agreed to the Consent Order after determining that the potential violations were quickly reported and that investigations by Kaiser-Hill were comprehensive and accurately disclosed all relevant facts, including the safety significance of these events. The order also requires that the contractor complete corrective actions.

"This consent agreement represents a victory for all parties," said Peter N. Brush, Acting Assistant Secretary for Environment, Safety and Health. "The contractor is rewarded with a reduced payment for its initiative in correcting and fixing problems, and DOE can focus its resources on more serious cases. In the end, the result is the same -- problems are solved and safety is enhanced.

"It is important to realize that we can and will proceed with full enforcement if corrective actions are not effectively carried out or we discover that any information was knowingly false or materially inaccurate," Brush added. DOE's Office of Environmental Safety and Health incorporated corrective actions into the order and will carefully track them.

The \$100,000 payment reflects an amount well below what could have been proposed through the formal enforcement process. As with civil penalties, the payment is not a reimbursable cost.

The potential safety violations involved the following incidents:

- Two workers received unplanned internal intakes of plutonium on August 12, 1996, at the underground tank remediation project. More than one year elapsed between the bioassay tests and worker notification. Workers' doses were well below regulatory limits.
- Between 1996 and 1997, Kaiser-Hill discovered instances of inadequate assessment of area radiation monitoring in offices adjacent to rooms containing radioactive material. Seventeen employees in those offices were subsequently assigned estimated occupational radiation doses, all well below regulatory limits.
- In January 1998, a radiological worker received unplanned radiation doses as a result of

inventorying and testing for leaks of several selenium-75 sealed sources. Investigations found that the worker and the radiological control technician supporting the worker had no prior experience with the performance of the inventory and violated a number of requirements.

The use of a Consent Order offers DOE management an effective tool in the enforcement of nuclear safety rules. It is reserved for cases where it is clear to the department that the contractor has acted aggressively, thoroughly and honestly to identify and correct potential violations.

Copies of the Consent Order are available on the Department of Energy's Office of Enforcement homepage at <http://tis-nt.eh.doe.gov>

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